

Appl. No. 09/926,002
Amendment dated: September 20, 2004
Reply to OA of: May 19, 2004

REMARKS

Applicants have amended the claims to more particularly define the invention taking into consideration the outstanding Official Action. The obvious typographical error in claims 25, 34 and 43 has been corrected as noted in the objection to these claims in the outstanding Official Action. The undersigned attorney regrets these errors which likely arose from an improperly edited spell checking program.

On page 3 of the Official Action, claims 11, 13, 14, 20, 22, 29, 31, 32, 38 and 40 are rejected under 35 USC 112 for the use of the term "derived from" and that it is unclear as to what the Applicant is referring and that clarification as to the meaning of the term is required. In an effort to advance the prosecution to early allowance Applicants have deleted "derived" from the expression to clarify the claim and most respectfully submit that these claims are now clear to one of ordinary skill in the art. For example, claim 11 is directed to a vaccine formulation against a mycobacterium containing as immunizing component, an immunogenic product consisting of antigenically active carbohydrate moieties (ACM) from *Mycobacterium tuberculosis*. Thus, one of ordinary skill in the art would fully appreciate the meaning of the claim and these claims are not indefinite. Accordingly, it is believed that the amendment to the claims and the above clarifies the meaning of the term as used in the context of the present invention as would be appreciated by one of ordinary skill in the art. Accordingly, it is most respectfully requested that this rejection be withdrawn.

The rejection of claims 23 and 41 under 35 USC 112, second paragraph for the use of the term, "derived from" has been obviated by the deletion of the term "derived" from these claims and the above discussed reasons. Accordingly, it is most respectfully requested that this rejection be withdrawn.

The rejection of claims 11, 20, 29 and 38 under 35 USC 112 second paragraph, for the use of "possibly" has been obviated by the cancellation of this term from the


Appl. No. 09/926,002
Amendment dated: September 20, 2004
Reply to OA of: May 19, 2004

claims. These claims are in any case generic to this possibility which has been claimed in the added dependent claims 47-51 which specify that the divalent bridges are identical. Accordingly, it is most respectfully requested that this rejection be withdrawn.

In view of the above comments and further amendments to the claims, favorable reconsideration and allowance of all the claims now present in the application are most respectfully requested.

Respectfully submitted,

BACON & THOMAS, PLLC

By: 
Richard E. Fichter
Registration No. 26,382

625 Slaters Lane - 4th Floor
Alexandria, Virginia 22314
Phone: (703) 683-0500
Facsimile: (703) 683-1080

REF:kdd
A03.wpd

DATE: September 20, 2004